

*Rec'd
10/21/02*

Docket No.: PF-0181-2 CON

CERTIFICATE OF TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the attention of Examiner C. Yaen, Group Art Unit 1642, U.S. Patent and Trademark Office by Facsimile No. 703-308-4242 on the date shown below.

Signature

October 21, 2002

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hillman et al.

Title: HUMAN MEMBRANE PROTEIN

Serial No.: 09/898,216

Filing Date: July 02, 2001

Examiner: Yaen, C.

Group Art Unit: 1642

Box Non-Fee Amendment

Commissioner for Patents

Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. 121

Sir:

This paper is responsive to the Restriction Requirement and Request for Election dated September 23, 2002, setting a one (1) month term for response. Prior to examination of the application, please amend the specification of the above-identified application as listed below.

IN THE SPECIFICATION

Please insert the following paragraph after the title:

This application is a continuation application of U.S. application serial number 09/095,351, filed June 9, 1998, which is a divisional of 08/781,562, filed January 9, 1997, now U.S. Patent Number 5,763,589, issued June 9, 1998.

For the Examiner's convenience, all pending claims are listed below. Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned "Version with markings to show changes made."

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NO. 5129 P. 3

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OFFICIAL

DATE: October 21, 2002
TO: Examiner Christopher H. Yaen
COMPANY: USPTO
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TELEPHONE NO.: 703-305-3586
FROM: Gina Nellesen
OUR REF. NO.: PF-0181-2 CON
SERIAL NO.: 09/898,216
PAGES : 8

Attached is the Response to Restriction Requirement dated September 23, 2002.

This facsimile is intended for the addressee only and may contain confidential information. If you have received this facsimile in error, please call us at 650.855.0555 immediately to arrange for its return.

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TRANSMITTAL FEE SHEET

Sir:

Transmitted herewith are the following for the above-identified application:

1. Return Receipt Postcard;
2. Response to Restriction Requirement (6 pp.); and
3. Certificate of Revocation of Power of Attorney and Appointment of New Attorneys (2 pp.).

The fee has been calculated as shown below.

X No additional Fee is required.

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 09-0108. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: 10-21-02

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